

**SUPREME COURT MINUTES
TUESDAY, APRIL 20, 2010
SAN FRANCISCO, CALIFORNIA**

S180452 H034163 Sixth Appellate District **OWENS (ANTHONY RAY)
ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to May 24, 2010.

S180454 H033610 Sixth Appellate District **UDC-UNIVERSAL
DEVELOPMENT, L.P. v.
CH2M HILL**

The time for granting or denying review in the above-entitled matter is hereby extended to May 24, 2010.

S180458 B207436/B207437 Second Appellate District, Div. 8 **CONTINENTAL RECOVERY
GROUP LLC. v. NCOM, INC.
(KASHANI)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 24, 2010.

S180478 H033656 Sixth Appellate District **PEOPLE v. WUNDERLICH
(SARAH)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 25, 2010.

S180482 F056416 Fifth Appellate District **PEOPLE v. ROJAS
(ASENCION)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 25, 2010.

S180492 C062408 Third Appellate District **IN RE X.Y.**

The time for granting or denying review in the above-entitled matter is hereby extended to May 25, 2010.

S180543 E046065 Fourth Appellate District, Div. 2 **PEOPLE v. CANNON
(WARDINE KIMM)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 27, 2010.

S180544 E046343 Fourth Appellate District, Div. 2 **PEOPLE v. CHAPA (RUBEN)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 26, 2010.

S180554 G042223/G042307 Fourth Appellate District, Div. 3 **PEOPLE v. AYALA
(GUADALUPE RUIZ)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 26, 2010.

S180567 G040808 Fourth Appellate District, Div. 3 **PEOPLE v. SKILES (DANNY
LEE)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 27, 2010.

S022998 **PEOPLE v. TOWNSEL
(ANTHONY LETRICE)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender C. Delaine Renard's representation that she anticipates filing the appellant's opening brief by May 13, 2010, counsel's request for an extension of time in which to file that brief is granted to May 13, 2010. After that date, no further extension is contemplated.

S029551 **PEOPLE v. JOHNSON (JOE
EDWARD)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to June 21, 2010.

S042346**PEOPLE v. JONES (BRYAN MAURICE)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy State Public Defender Joseph E. Chabot's representation that he anticipates filing the appellant's reply brief by October 15, 2010, counsel's request for an extension of time in which to file that brief is granted to June 18, 2010. After that date, only two further extensions totaling about 120 additional days are contemplated.

S044693**PEOPLE v. WALL (RANDALL CLARK)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Holly D. Wilkens's representation that she anticipates filing the response to appellant's supplemental motion to correct and augment the record on appeal by June 14, 2010, counsel's request for an extension of time in which to file that brief is granted to June 14, 2010. After that date, no further extension is contemplated.

S044739**PEOPLE v. BANKSTON (ANTHONY GEORGE)**

Extension of time granted

Good cause appearing, and based upon State Public Defender Michael J. Hersek's representation that he anticipates filing the appellant's opening brief by August 10, 2010, counsel's request for an extension of time in which to file that brief is granted to June 18, 2010. After that date, only one further extension totaling about 53 additional days is contemplated.

S050102**PEOPLE v. HENSLEY (PAUL LOYDE)**

Extension of time granted

Good cause appearing, and based upon counsel Richard L. Rubin's representation that he anticipates filing the appellant's reply brief by April 2011, counsel's request for an extension of time in which to file that brief is granted to June 21, 2010. After that date, only five further extensions totaling about 300 additional days are contemplated.

S051342**PEOPLE v. CUNNINGHAM (JOHN)**

Extension of time granted

Good cause appearing, and based upon counsel Brian A. Pori's representation that he anticipates filing the appellant's reply brief by October 15, 2010, counsel's request for an extension of time in which to file that brief is granted to June 15, 2010. After that date, only two further extensions

totaling about 120 additional days are contemplated.

S056364

PEOPLE v. JONES (ALBERT)

Extension of time granted

Good cause appearing, counsel's request for an extension of time in which to file the appellant's reply brief is granted to June 18, 2010. The court anticipates that after that date, only one further extension totaling about 30 additional days will be granted. Counsel is ordered to inform his or her supervising attorney, if any, of this schedule, and to take all steps necessary to meet it.

S058019

**PEOPLE v. CONTRERAS
(GEORGE LOPEZ)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy State Public Defender Denise Anton's representation that she anticipates filing the appellant's reply brief by September 2010, counsel's request for an extension of time in which to file that brief is granted to June 18, 2010. After that date, only two further extensions totaling about 90 additional days are contemplated.

S070250

**PEOPLE v. JOHNSON
(MICHAEL RAYMOND)**

Extension of time granted

Good cause appearing, and based upon counsel Anthony J. Dain's representation that he anticipates filing the appellant's reply brief by February 11, 2011, counsel's request for an extension of time in which to file that brief is granted to June 11, 2010. After that date, only four further extensions totaling about 240 additional days are contemplated.

S075725

**PEOPLE v. JONES
(KIONGOZI)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy State Public Defender Jessica K. McGuire's representation that she anticipates filing the appellant's opening brief by June 18, 2010, counsel's request for an extension of time in which to file that brief is granted to June 18, 2010. After that date, no further extension is contemplated.

S078027

**PEOPLE v. STREETER
(HOWARD LARCELL)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy State Public Defender Andrew S. Love's representation that he anticipates filing the appellant's reply brief by July 15, 2010,

counsel's request for an extension of time in which to file that brief is granted to June 21, 2010. After that date, only one further extension totaling about 25 additional days is contemplated.

S082776**PEOPLE v. REED (ENNIS)**

Extension of time granted

Good cause appearing, and based upon counsel Gail Harper's representation that she anticipates filing the appellant's opening brief by September 30, 2010, counsel's request for an extension of time in which to file that brief is granted to June 7, 2010. After that date, only two further extensions totaling about 115 additional days will be granted.

S084996**PEOPLE v. CHHOUN (RUN
PETER)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Susan Ten Kwan's representation that she anticipates filing the appellant's opening brief by December 2010, counsel's request for an extension of time in which to file that brief is granted to June 15, 2010. After that date, only three further extensions totaling about 180 additional days are contemplated. An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S087773**PEOPLE v. GOMEZ (RUBEN
PEREZ)**

Extension of time granted

Appellant's request for relief from default is granted.

Good cause appearing, and based upon counsel Lynne S. Coffin's representation that she anticipates filing the appellant's opening brief by September 24, 2010, counsel's request for an extension of time in which to file that brief is granted to May 25, 2010. After that date, only two further extensions totaling about 120 additional days are contemplated.

S092240**PEOPLE v. BOYCE (KEVIN
DEWAYN)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Douglas Ward's representation that he anticipates filing the appellant's opening brief by May 15, 2010, counsel's request for an extension of time in which to file that brief is granted to May 17, 2010. After that date, no further extension is contemplated.

S092410**PEOPLE v. NIEVES (SANDI DAWN)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Mary Sanchez's representation that she anticipates filing the respondent's brief by August 31, 2010, counsel's request for an extension of time in which to file that brief is granted to June 15, 2010. After that date, only two further extensions totaling about 80 additional days are contemplated.

S093235**PEOPLE v. JOHNSON (JERROLD ELWIN)**

Extension of time granted

Good cause appearing, and based upon counsel William D. Farber's representation that he anticipates filing the appellant's opening brief by December 31, 2010, counsel's request for an extension of time in which to file that brief is granted to June 15, 2010. After that date, only three further extensions totaling about 195 additional days are contemplated.

S093944**PEOPLE v. BERTSCH (JOHN ANTHONY) & HRONIS (JEFFERY LEE)**

Extension of time granted

On application of appellant Jeffery Lee Hronis and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to June 18, 2010.

S103087**PEOPLE v. POST (JOHN)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Tita Nguyen's representation that she anticipates filing the respondent's brief by August 17, 2010, counsel's request for an extension of time in which to file that brief is granted to June 18, 2010. After that date, only one further extension totaling about 60 additional days is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S105403**PEOPLE v. CHHOUN (RUN PETER) & PAN (SAMRETH SAM)**

Extension of time granted

On application of appellant Run Peter Chhoun and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to June 15, 2010.

S105403**PEOPLE v. CHHOUN (RUN
PETER) & PAN (SAMRETH
SAM)**

Extension of time granted

On application of appellant Samreth Sam Pan and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to June 8, 2010.

S110804**PEOPLE v. ACREMANT
(ROBERT JAMES)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to June 18, 2010.

S118384**PEOPLE v. MELENDEZ
(ANGELO MICHAEL)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to June 22, 2010.

S130659**PEOPLE v. ARMSTRONG
(CRAIGEN LEWIS)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to June 8, 2010.

S138474**PEOPLE v. ANDERSON
(ERIC STEVE)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to June 8, 2010.

S167303**SLAUGHTER (MICHAEL C.)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Assistant Federal Defender Jennifer Mann's representation that she anticipates filing the reply to the informal response to the petition for writ of habeas corpus by May 21, 2010, counsel's request for an extension of time in which to file that document is granted to May 21, 2010. After that date, no further extension is contemplated.

S167453**LENART (THOMAS
HOWARD) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Wesley A. Van Winkle's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by June 4, 2010, counsel's request for an extension of time in which to file that document is granted to June 4, 2010. After that date, no further extension is contemplated.

S174803**KRINSK (JEFFREY R.) v.
CHIRON CORPORATION**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to May 26, 2010.

S175615

A119501 First Appellate District, Div. 2

**PEOPLE v. HERNANDEZ
(ARTURO JESUS)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to May 20, 2010.

S176213**PEOPLE v.
RUTTERSCHMIDT (OLGA)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to May 1, 2010.

S176304**SANDOVAL (PAUL) ON H.C.**

Extension of time granted

On application of respondent's and good cause appearing, it is ordered that the time to serve and file the informal response to petition for writ of habeas corpus is extended to May 14, 2010.

S176943**FRANCHISE TAX BOARD v.
S.C. (GONZALES)**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to May 17, 2010.

S177188**LAWLEY (DENNIS HAROLD)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General David Andrew Eldridge's representation that he anticipates filing the informal response to the petition for writ of habeas corpus by June 18, 2010, counsel's request for an extension of time in which to file that document is granted to June 18, 2010. After that date, no further extension is contemplated.

S177704 E045714 Fourth Appellate District, Div. 2 **M.M., IN RE**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to May 21, 2010. No further extensions of time are contemplated.

S178320 B204943 Second Appellate District, Div. 7 **BAYCOL CASES I AND II**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to June 18, 2010.

S179378 A125496 First Appellate District, Div. 4 **TARRANT BELL PROPERTY,
LLC. v. S.C. (ABAYA)**

Extension of time granted

On application of petitioners and good cause appearing, it is ordered that the time to serve and file the Opening Brief on the Merits is extended to May 21, 2010.

S179579 B212635 Second Appellate District, Div. 8 **J.H., IN RE**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to May 15, 2010.

S180946**JOHNSON (CLEAMON) ON
H.C.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's informal response to the petition for writ of habeas corpus is extended to June 14, 2010.

S059653**PEOPLE v. MILLS (JEFFERY JON)**

Counsel appointment order filed

Upon request of appellant Jeffery Jon Mills for appointment of counsel, Katherine L. Hart is hereby appointed to represent appellant Jeffery Jon Mills for habeas corpus/executive clemency proceedings related to the above automatic appeal now pending in this court.

Any “petition for writ of habeas corpus will be presumed to be filed without substantial delay if it is filed . . . within 36 months” of this date (Supreme Ct. Policies Regarding Cases Arising From Judgments of Death, policy 3, timeliness std. 1-1.1), and it will be presumed that any successive petition filed within that period is justified or excused (see *In re Clark* (1993) 5 Cal.4th 750, 774-782), in light of this court’s delay in appointing habeas corpus/executive clemency counsel on behalf of appellant Jeffery Jon Mills.

S064769**PEOPLE v. HAWTHORNE
(CARLOS ANTHONY)**

Order appointing Habeas Corpus Resource Center filed

Upon request of condemned prisoner Carlos Anthony Hawthorne for appointment of counsel, the Habeas Corpus Resource Center is hereby appointed to represent Carlos Anthony Hawthorne for habeas corpus/executive clemency proceedings related to the above automatic appeal now final in this court.

Any “petition for writ of habeas corpus will be presumed to be filed without substantial delay if it is filed . . . within 36 months” of this date (Supreme Ct. Policies Regarding Cases Arising From Judgments of Death, policy 3, timeliness std. 1-1.1), and it will be presumed that any successive petition filed within that period is justified or excused (see *In re Clark* (1993) 5 Cal.4th 750, 774-782), in light of this court’s delay in appointing habeas corpus/executive clemency counsel on behalf of condemned prisoner Carlos Anthony Hawthorne.

S179660

B204646 Second Appellate District, Div. 3

**PEOPLE v. SALEEM
(ETHAN)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Gerald P. Peters is hereby appointed to represent appellant on the appeal now pending in this court.

Appellant’s brief on the merits must be served and filed on or before thirty (30) days from the date respondent’s opening brief on the merits is filed.

S179910

A122829 First Appellate District, Div. 1

**PEOPLE v. FAULTRY
(CHARLES B.)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Jonathan Berger is hereby appointed to represent appellant on the appeal now pending in this court.

S015384**PEOPLE v. LETNER
(RICHARD LACY) & TOBIN
(CHRISTOPHER ALLAN)**

Order filed

The application of appellant Richard Lacy Letner for permission to file a supplemental letter brief is granted. Any response must be served and filed on or before April 30, 2010. Any reply must be served and filed on or before May 10, 2010.

S015384**PEOPLE v. LETNER
(RICHARD LACY) & TOBIN
(CHRISTOPHER ALLAN)**

Order filed

Appellant Christopher Allan Tobin's request for 40 minutes for oral argument is granted.

S163681

H031540 Sixth Appellate District

**SANTA CLARA, COUNTY OF
v. S.C. (ATLANTIC
RICHFIELD COMPANY)**

Order filed

The request of counsel for real parties in interest in the above-referenced cause to allow two counsel to argue on behalf of real parties in interest at oral argument is hereby granted.

The request of real parties in interest to allocate to Atlantic Richfield Company et al. 20 minutes and Sherwin-Williams Company 10 minutes of real parties' 30-minute allotted time for oral argument is granted.

S165906

B204354 Second Appellate District, Div. 5

**HAWORTH (RANDAL D.) v.
S.C. (OSSAKOW)**

Order filed

The request of petitioners to allocate to amicus curiae Civil Justice Association of California 10 minutes of petitioners' 30-minute allotted time for oral argument is granted.

S170550

B208923 Second Appellate District, Div. 8

**GALINDO (MOISES) v. S.C.
(CITY OF LOS ANGELES
POLICE DEPARTMENT)**

Order filed

The request of counsel for real parties in interest in the above-referenced cause to allow two counsel to argue on behalf of real parties in interest at oral argument is hereby granted.

The request of real parties in interest to allocate to City of Los Angeles Police Department 15 minutes and The People 15 minutes of real parties' 30-minute allotted time for oral argument is granted.

S173260
S172903

MOLINA (MIGUEL) ON H.C.
PRATHER (MICHAEL) ON
H.C.

Order filed

The request of petitioners to allocate to petitioner Miguel Molina 20 minutes and petitioner Michael Prather 10 minutes of petitioners' 30-minute allotted time for oral argument is granted.

S181262

ORTIZ (ROBERT C.) v. S.C.
(PEOPLE)

Transferred to Court of Appeal, Fourth Appellate District, Division Two

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S181356

HANEY (MONTE) v. S.C.
(PEOPLE)

Transferred to Court of Appeal, First Appellate District

The above-entitled matter is transferred to the Court of Appeal, First Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S181530

ACOSTA (CHRISTOPHER) v.
DEPARTMENT OF
CORRECTIONS &
REHABILITATION
(HAVILAND)

Transferred to Court of Appeal, First Appellate District

The above-entitled matter is transferred to the Court of Appeal, First Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S181737**MURILLO (RAMON) v.
CALIFORNIA VICTIM
COMPENSATION &
GOVERNMENT CLAIMS
BOARD (CALIFORNIA
DEPARTMENT OF
CORRECTIONS &
REHABILITATION)**

Transferred to Court of Appeal, Third Appellate District

The above-entitled matter is transferred to the Court of Appeal, Third Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S181813**CRAIG (REGINALD
NELSON) v. S.C. (PEOPLE)**

Transferred to Court of Appeal, Second Appellate District

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

Fourth Appellate District, Div. 3 TRANSFER ORDERS

The following matters, now pending in the Court of Appeal, Fourth Appellate District, are transferred from Division Three to Division One:

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|----|---------|---|
| 1. | G041027 | People v. Joyce Jaska |
| 2. | G042118 | People v. John Paul Nelson |
| 3. | G043484 | In re John Paul Nelson on Habeas
Corpus (related to G042118) |
| 4. | G042125 | People v. Lance William Green |
| 5. | G042245 | People v. Harold Wesley Meeks et al. |
| 6. | G042556 | People v. Mansa Musa Muhummed |
| 7. | G042709 | People v. Paul Gilbert Anguiano |